

PR60351USw

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Britton et al.  
Serial No.: 10/565,296  
Filing Date: July 27, 2004  
Art Unit: Unknown Examiner: Unknown  
Title: Cycloalkylidene Compounds As Modulators of Estrogen Receptor

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Assistant Commissioner for Patents  
Mail Stop PCT  
PO Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO DECISION ON PETITION UNDER 37 C.F.R. § 1.47**

Applicants previously submitted a Petition Under 37 CFR 1.47 to request that the USPTO recognize co-inventor Jonathan Britton as an unavailable inventor under 37 U.S.C. §116. Applicants' Petition was denied by Decision on Petition dated 7 June 2006,

After renewed efforts, co-inventor Britton has been located. Mr. Britton has now executed a combined Declaration and Power of Attorney for the instant Application. Said Declaration is submitted concurrently with this Response.

The Decision on Petition also questioned the spelling of co-inventor Katamreddy's name. The name of co-inventor Katamreddy was initially misspelled during the international application. The spelling was corrected during prosecution of the international application (see attached copy of PCT Notification of the Recording of a Change). Co-inventor Katamreddy was identified correctly in publication WO2005/012220A3 (see copy of cover page attached). Applicant submits that KATAMREDDY is the correct spelling of the co-inventors name and that that spelling should have transferred to the U.S. national stage application.

In view of co-inventor Britton's Declaration and the corrected spelling of co-inventor Katamreddy's name, Applicants respectfully request that the pending Petition

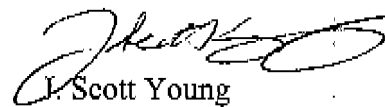
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under 37 C.F.R. 1.47 be withdrawn, and that the Application be found in condition for substantive examination.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge any fees or credit any overpayment, particularly including any fees required under 37 CFR Sections 1.16 and/or 1.17, and any necessary extension of time fees, to deposit Account No. 07-1392.

If additional information is needed, please contact Applicants' agent as detailed below for expedited handling.

Respectfully submitted,



J. Scott Young  
USPTO Reg. No. 45,582

Date: Sep 7 2006  
GlaxoSmithKline  
P.O. Box 13998  
Durham, NC 27709  
919-483-8160  
919-483-7988 (fax)

## PATENT COOPERATION TREATY

MAR 07 2005

## PCT

NOTIFICATION OF THE RECORDING  
OF A CHANGE(PCT Rule 92bis.1 and  
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

LEVY, David, J.  
GlaxoSmithKline  
Five Moore Drive  
P.O. Box 13398  
Research Triangle Park, NC 27709  
United States of America

Date of mailing (day/month/year) 01 March 2005 (01.03.2005)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference PR60351WQ	
International application No. PCT/US2004/024308	International filing date (day/month/year) 27 July 2004 (27.07.2004)

1. The following indications appeared on record concerning:		
<input checked="" type="checkbox"/> the applicant	<input checked="" type="checkbox"/> the inventor	<input type="checkbox"/> the agent <input type="checkbox"/> the common representative
Name and Address KALAMREDDY, Subba, Reddy GlaxoSmithKline Five Moore Drive P.O. Box 13398 Research Triangle Park, NC 27709 United States of America	State of Nationality IN	State of Residence US
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	
2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:		
<input type="checkbox"/> the person	<input checked="" type="checkbox"/> the name	<input type="checkbox"/> the address <input type="checkbox"/> the nationality <input type="checkbox"/> the residence
Name and Address KATAMREDDY, Subba, Reddy GlaxoSmithKline Five Moore Drive P.O. Box 13398 Research Triangle Park, NC 27709 United States of America	State of Nationality IN	State of Residence US
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	
3. Further observations, if necessary:		
4. A copy of this notification has been sent to:		
<input checked="" type="checkbox"/> the receiving Office	<input checked="" type="checkbox"/> the designated Offices concerned	
<input type="checkbox"/> the International Searching Authority	<input type="checkbox"/> the elected Offices concerned	
<input type="checkbox"/> the International Preliminary Examining Authority	<input type="checkbox"/> other:	

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Catherine MARQUIS (Fax 338-87-20)
Facsimile No. (41-22) 338.87.20	Telephone No. (41-22) 338 9142

## (12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

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13398, Research Triangle Park, NC 27709 (US). KATAM-  
REDDY, Subba, Reddy [IN/US]; GlaxoSmithKline, Five  
Moore Drive, P.O. Box 13398, Research Triangle Park,  
NC 27709 (US).

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(74) Agents: LEVY, David, J. et al.; GlaxoSmithKline, Five  
Moore Drive, P.O. Box 13398, Research Triangle Park, NC  
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(71) Applicant (for all designated States except US):  
SMITHKLINE BEECHAM CORPORATION  
[US/US]; One Franklin Plaza, Philadelphia, PA 19101  
(US).

(72) Inventors; and

(75) Inventors/Applicants (for US only): BRITTON,  
Jonathan, E. [US/US]; GlaxoSmithKline, Five Moore  
Drive, P.O. Box 13398, Research Triangle Park, NC  
27709 (US). FANG, Jing [CN/US]; GlaxoSmithKline,  
Five Moore Drive, P.O. Box 13398, Research Triangle  
Park, NC 27709 (US). HEYER, Dennis [US/US]; Glaxo-  
SmithKline, Five Moore Drive, P.O. Box 13398, Research  
Triangle Park, NC 27709 (US). MILLER, Aaron, Bayne  
[US/US]; GlaxoSmithKline, Five Moore Drive, P.O. Box  
13398, Research Triangle Park, NC 27709 (US). NAVAS,  
Frank, III [US/US]; GlaxoSmithKline, Five Moore Drive,  
P.O. Box 13398, Research Triangle Park, NC 27709  
(US). SMALLEY, Terrence, Lee, Jr. [US/US]; Glaxo-  
SmithKline, Five Moore Drive, P.O. Box 13398, Research  
Triangle Park, NC 27709 (US). ZUERCHER, William, J.  
[US/US]; GlaxoSmithKline, Five Moore Drive, P.O. Box

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European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI,  
FR, GB, GR, HU, IE, IT, LU, MC, NL, PL, PT, RO, SE, SI,  
SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ,  
GW, ML, MR, NE, SN, TD, TG).

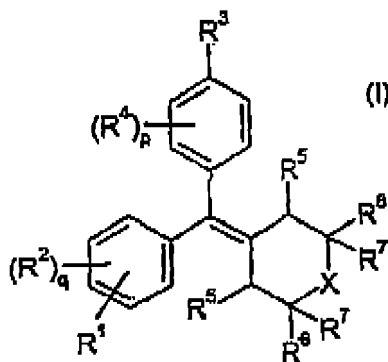
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For two-letter codes and other abbreviations, refer to the "Guid-  
ance Notes on Codes and Abbreviations" appearing at the begin-  
ning of each regular issue of the PCT Gazette.

(54) Title: CYCLOALKYLIDENE COMPOUNDS AS MODULATORS OF ESTROGEN RECEPTOR



(57) Abstract: The present invention relates to novel compounds with a variety of therapeutic uses, more particularly novel substituted cyclic alkylidene compounds that are particularly useful for selective estrogen receptor modulation. Formula (I) including salts, solvates, and pharmacologically functional derivatives thereof wherein R<sup>1</sup> is OH; each of R<sup>2</sup> and R<sup>4</sup> independently are selected from OH, alkyl, or halogen; each of p and q independently are selected from 0, 1, or 2; R<sup>3</sup> is -(Y)-R<sup>6</sup>; z is 0 or 1; Y is -C=C- or CR<sup>6</sup>=CR<sup>1</sup>-; X is -(CH<sub>2</sub>)<sub>n</sub>- where n is 0, 1, 2, or 3, -C(R<sup>6</sup>)<sub>2</sub>-, -O-, or -S-.

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